

OFFICE OF  
GENERAL COUNSEL

2018 JUN -4 PM 1:11

May 29, 2018

Office of General Counsel  
Federal Election Commission  
1050 First Street, NE  
Washington, DC 20463

MUR # 7403

Art Halvorson

*462 Edison Avenue N.W.  
Mandeville, LA 70450*

**RE: COMPLAINT -  
Defending Main Street SuperPAC Inc. (FEC ID: C00540203)  
Dr. John Joyce for Congress (FEC ID: C00674259)**

To the Office of General Counsel:

This letter serves as a Complaint against "Defending Main Street SuperPAC Inc. (FEC ID: C00540203), which is an *independent expenditure-only Super PAC* registered with the Federal Election Commission, and "Dr. John Joyce for Congress" (FEC ID: C00674259), which is the *Principal Campaign Committee* for John Joyce, a candidate in the Republican primary for Pennsylvania's 13<sup>th</sup> Congressional District.

Dr. John Joyce for Congress utilizes the services of a Harrisburg, Pennsylvania-based political and media consulting firm, Red Maverick Media, LLC, located at 403 N. Second Street, FL2, Harrisburg, PA 17101 and its principal and owner, Ray Zaborney. On the Pre-Primary Report filed by Dr. John Joyce for Congress filed on May 3, 2018, there were the following expenditures made to Red Maverick Media and its subsidiary, Maverick Finance:

- April 2, 2018: \$1,540.00 to Red Maverick Media for Autocalls.
- April 20, 2018: \$9,313.78 to Red Maverick Media for Advertising & Printing Expenses
- April 20, 2018: \$23,428.00 to Red Maverick Media for Direct Mail
- April 20, 2018: \$1,007.00 to Red Maverick Media for Advertising
- April 6, 2018: \$5,000.00 to Maverick Finance for Fundraising Consulting Fees
- April 20, 2018: \$1,209.02 to Maverick Finance for Printing Expenses

Defending Main Street SuperPAC Inc. has made expenditures opposing John Joyce's opponents Arthur L. Halvorson and John H. Eichelberger, Jr., who are also Republican candidates running in the Pennsylvania's 13<sup>th</sup> Congressional District (formerly Pennsylvania's 9<sup>th</sup> Congressional District). According to Twenty-Four Hour Independent Expenditure Reports filed by Defending Main Street SuperPAC Inc., they have been using the services of the same political consulting firm, Red Maverick Media, as Dr. John Joyce for Congress. Defending Main Street SuperPAC Inc made the following expenditures:

- May 9, 2018: \$22,400.00 to Red Maverick Media for Mailhouse opposing Art Halvorson
- May 7, 2018: \$26,490.00 to Red Maverick Media for Mailhouse opposing Art Halvorson
- May 1, 2018: \$75,921.00 to Red Maverick Media for Mailhouse opposing Art Halvorson

Federal Election Commission, in its rules prohibiting coordinated communications, prohibits a commercial vendor, as well as its owners, officers and employees, from: (A) developing medial strategy, including the selection or purchasing of advertising slots; (B) selection of audiences; (C) polling; (D) fundraising; (E) developing the content of a public communication; (F) producing a public communication; (G) identifying voters or developing voter lists, mailing lists, or donor lists; (H) selecting personnel, contractors, or subcontractors; or (I) consulting or otherwise providing political or media advice to the candidate who is clearly identified in the communication, the candidates' authorized committee, or the candidate's opponent during the previous 120 days. 11 C.F.R. § 109.21(d)(4).

Given that both Dr. John Joyce for Congress and Defending Main Street SuperPAC Inc. are using the same media and political consulting firm – Red Maverick Media – in the same congressional race, it appears that there is illegal coordination between Dr. John Joyce's campaign and the Defending Main Street SuperPAC Inc. through a common vendor. 11 C.F.R. § 109.21(d). Given the limited size of Red Maverick Media, it is likely they do not have prior "firewall" procedures to prohibit the flow of information between employees or consultants providing services to Dr. John Joyce for Congress and employees or consultants providing services to Defending Main Street SuperPAC Inc., or a written policy distributed to all employees. 11 C.F.R. § 109.21(h). Moreover, no other safe harbor applies to the conduct at issue. 11 C.F.R. § 109.21.

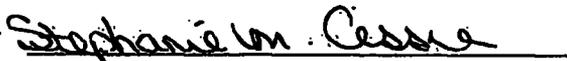
I urge the Federal Election Commission to further investigate this matter.

Sincerely,

  
Art Halvorson

Commonwealth of Pennsylvania  
County of Bedford

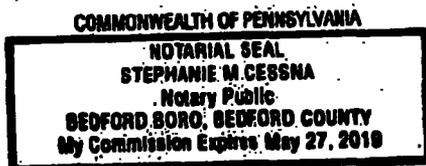
Signed and sworn to before me on May 29, 2018 (date) by Art Halvorson.

  
Signature of notarial officer

Branch Manager  
Title of office

My commission expires: May 27, 2019

Stamp:



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